

MAR 06 2007

2161

AMENDMENT TRANSMITTAL

PATENT

Application No.: 10/020,123  
Filing Date: October 30, 2001  
First Named Inventor David D. Faraldo II  
Examiner's Name: Leroux, Etienne Pierre  
Art Unit: 2161  
Attorney Docket No.: 005220.P004

       An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

       Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

       Preliminary Amendment

Amendment/Response with respect to Office Action

       Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)

       Notice of Appeal

       RCE (Request for Continued Examination)

       Supplemental Declaration

       Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)

       Information Disclosure Statement (IDS)

       Copies of IDS citations

       Petition for Extension of Time

Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)

       Cross-Reference to Related Application(s)

       Certified Copy of Priority Document

Other: Declarations of David D. Faraldo and David Parker

Other: Exhibits A, B and C.

       Check(s)

Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Marina Portnova

SIGNATURE: M. Portnova

REG. NO.: 45,750

DATE: February 28, 2007

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on March 1, 2007

Date of Deposit

Michelle Begay

Name of Person Mailing Correspondence

March 1, 2007

Michelle Begay  
Signature

Date

Express Mail Label No. (if applicable):

(10/14/03)

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

**FEE TRANSMITTAL FOR FY 2006**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 00.00**Complete if Known:**

Application No. 10/020,123  
 Filing Date October 30, 2001  
 First Named Inventor David D. Faraldo II  
 Examiner Name Leroux, Etienne Pierre  
 Art Unit 2161  
 Attorney Docket No. 005220.P004

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify)

 Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

 The Director is Authorized to do the following with respect to the above-identified Deposit Account: Charge fee(s) indicated below. Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application. Charge fee(s) indicated below except for the filing fee Credit any overpayments. Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee Code	Fee (\$)	Fee Description	
1011	300	Utility application filing fee	\$00.00
1111	500	Utility search fee	\$00.00
1311	200	Utility examination fee	\$00.00
1012	200	Design application filing fee	
1112	100	Design search fee	
1312	130	Design examination fee	
1013	200	Plant filing fee	
1113	300	Plant search fee	
1313	160	Plant examination fee	
1004	300	Reissue filing fee	
1114	500	Reissue search fee	
1314	600	Reissue examination fee	
1005	200	Provisional application filing fee	

**SUBTOTAL (1)** \$ 00.00

**2. EXCESS CLAIM FEES**

				<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	52	- 20 or 54 =	0		X \$50.00	= 00.00
HP = highest number of total claims paid for, if greater than 20						
Independent Claims	4	- 3 or 4 =	0		X \$200.00	= 00.00
HP = highest number of independent claims paid for, if greater than 3						
Multiple Dependent Claims						
<b>Large Entity</b>	<b>Small Entity</b>					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>		
1202	50	2202	25	Each claim over 20		
1201	200	2201	100	Each independent claim over 3		
1203	360	2203	180	Multiple dependent claims, if not paid		
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent		
1205	50	2205	25	Reissue: each independent claim more than in the original patent		
<b>SUBTOTAL (2) \$ 00.00</b>						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
	- 100 = 0 / 50 = 0	(round up to whole number)	X \$250.00	00.00

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description:</u> Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Fee Code	Fee (\$)	Fee Code (\$)
1081	250	2081 125 Utility
1082	250	2082 125 Design
1083	250	2083 125 Plant
1084	250	2084 125 Reissue

**SUBTOTAL (3) \$ 00.00**

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	120	2251	60
1252	450	2252	225
1253	1,020	2253	510
1254	1,590	2254	795
1255	2,160	2255	1,080
1401	500	2401	250
1402	500	2402	250
1403	1,000	2403	500
1451	1,510	1451	1,510
1452	500	2452	250
1453	1,500	2453	750
1501	1,400	2501	700
1502	800	2502	400
1503	1100	2503	550
1462	400	1462	400
1463	200	1463	200
1464	130	1464	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1814	130	2814	65
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,370	1454	1,370

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

SUBTOTAL (4) \$ \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Marina PortnovaSignature: M. PortnovaDate: February 28, 2007Reg. Number: 45,750Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Attorney's Docket No. 005220.P004

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

## **AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed January 26, 2007, Applicant respectfully requests the Examiner to enter the following amendments and consider the following remarks:

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.  
on March 1, 2007

Date of Deposit

**Name of Person Mailing Correspondence**

Michelle B.

March 1, 2007

**Signature**

Date \_\_\_\_\_